

ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

In re application of: Benjamin Oshlack, et al.
Serial No.: 09/598,324
Filed: June 20, 2000
For: POWDER-LAYERED ORAL DOSAGE FORMS



Docket No. 2000-107CIP3
Date: October 18, 2001

RECEIVED
DEC 04 2001
FBI CENTER 1600/2900

Sir:

Transmitted herewith is an **Amendment** in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
☒ No fee for additional claims is required.
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	PREVIOUSLY	PRESENT	RATE	FEE		RATE	FEE
	AFTER		PAID FOR	EXTRA					
TOTAL CLAIMS	17 Minus 17	=	0		x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	3 Minus 3	=	0		x \$ 39	\$		x \$ 78	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$130	\$		+ \$260	\$

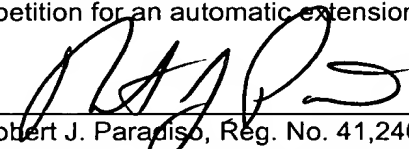
TOTAL: \$ 0.00 OR TOTAL: \$ 0.00

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☐ Also transmitted herewith are:
☐ Petition for extension under 37 C.F.R. 1.136 (in duplicate)
☐ Other:

☐ Check(s) in the amount of \$0.00 is/are attached to cover:
☐ Filing fee for additional claims under 37 C.F.R. 1.16
☐ Petition fee for extension under 37 C.F.R. 1.136
☐ Other:

- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552. A duplicate copy of this sheet is enclosed.
☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
☒ Any patent application processing fees under 37 C.F.R. 1.17.
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


Robert J. Paradiso, Reg. No. 41,240
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope with sufficient postage addressed to "Assistant Commissioner for Patents, Washington, D.C. 20231" on October 18, 2001.
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 



200.94107CIP

TECH CENTER 1600/2900

DEC 04 2001

RECEIVED

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Mina Haghighatian Art Unit: 1619
Re: Application of: Benjamin Oshalck, et al.
Serial No.: 09/598,324
Filed: June 20, 2000
For: **POWDER-LAYERED ORAL DOSAGE
FORMS**

6/12
Al Harmon
12/11/01

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

October 18, 2001

Sir:

In response to the Office Action mailed on July 18, 2001, please amend the above-identified application as follows:

IN THE CLAIMS:

Please **amend** the following claims:

a

1. (Amended) A method for preparing powder-layered beads containing a therapeutically effective agent, comprising powder-layering inert beads having a diameter from about 0.1 mm to about 2.5 mm with a homogeneous powder mixture comprising a therapeutically active agent and a processing aid having a bulk density which is substantially similar to the bulk density of the therapeutically effective agent, wherein said processing aid is not microcrystalline cellulose, until said beads achieve a weight gain of at least about 10% to about 100%.